

BILL ANALYSIS

S.B. 1789
By: Patrick
Land & Resource Management
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Over the past several years, some attempts to redevelop golf courses in residential communities as commercial property, have been strongly opposed by the residents in the communities. As a result of this trend, the 80th Texas Legislature enacted Section 212.0155 (Additional Requirements for Certain Replats Affecting a Subdivision Golf Course), Local Government Code, to establish limitations on this type of redevelopment within certain counties and cities. In the 81st Legislature, Section 212.0155 was expanded to include additional areas.

Some of the changes in S.B. 1789 update Section 212.0155, Local Government Code, by using more up-to-date population figures. The bill's only substantive change is to narrowly expand the existing protections found in Section 212.0155, Local Government Code, to apply to the extraterritorial jurisdiction of a municipality with a population of 1.9 million or more.

As proposed, S.B. 1789 amends current law relating to platting requirements affecting subdivision golf courses in certain counties.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 212.0155(a), Local Government Code, as follows:

(a) Provides that this section applies to land located wholly or partly in the corporate boundaries of a municipality if the municipality has a population of more than 50,000, and is located wholly or partly in a county with a population of more than three million; a county with a population of more than 400,000, rather than 275,000, that is adjacent to a county with a population of more than three million; or a county with a population of more than 1.4 million in which two or more municipalities with a population of 300,000 or more are primarily located, and that is adjacent to a county with a population of more than two million; or in the corporate boundaries or extraterritorial jurisdiction of a municipality with a population of 1.9 million or more. Makes nonsubstantive changes.

SECTION 2. Provides that the change in law made by Section 212.0155 (Additional Requirements for Certain Replats Affecting a Subdivision Golf Course), Local Government Code, as amended by this Act, applies only to an approval of a plat filed on or after the effective date of this Act, or before the effective date of this Act if the plat has not received final approval before the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2011.

EFFECTIVE DATE

Upon passage or September 1, 2011.